



Attorney Docket No. 33203/US/2  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant	: Glanzer et al.	
Appln. No.	: 10/826,576	Confirmation No: 1749
Filed	: April 16, 2004	Group Art Unit: 2121
Title	: SYSTEM AND METHOD FOR IMPLEMENTING SAFETY INSTRUMENTED SYSTEMS IN A FIELDBUS ARCHITECTURE	Examiner: Patel, Ramesh B.

**TERMINAL DISCLAIMER UNDER 37 CFR § 1.321**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The owner, Fieldbus Foundation, of one hundred percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,424,872 and U.S. Patent Application No. 10/463,596. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assignees.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

This Terminal Disclaimer is being submitted concurrently with a Response to the Office action of December 28, 2004, Petition to Correct Priority Claim, and petition for one-month extension of time. Accordingly, please charge Deposit Account No. 04-1415 in the amount of \$1,620.00, (\$120.00 for one-month extension of time fee, \$1,370.00 for Petition to Accept Unintentionally Delayed Claim fee and \$130.00 for Terminal Disclaimer fee). The Applicant believes no further fees or petitions are required. However, if any such petitions or fees are necessary, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 accordingly.

The undersigned is the attorney or agent of record in this application.

Dated: 28 April 2005

Respectfully submitted,

  
John T. Kennedy, Registration No. 42,717  
Attorney for Applicant  
USPTO Customer No. 20686

DORSEY & WHITNEY LLP  
370 Seventeenth Street, Suite 4700  
Denver, Colorado 80202-5647  
Tel: 303-629-3400  
Fax: 303-629-3450